

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT : Comments on Draft NSCID #5 from General Collins
and General Schow

REFERENCES : T.S. 034050 Memorandum from General Schow
T.S. 034046 Memorandum from General Collins

✓ 1. Re Title

N 0 General Collins proposes changing title to read, "U.S. Clandestine Intelligence and Counter-Intelligence Activities Abroad." He believes that the subject of non-clandestine counterintelligence activities should be covered in a separate NSCID.

I believe the over-all counterintelligence problem can be covered in this NSCID and that we can provide for any necessary action by the provisions of paragraph 9.

✓ 2. Para 1.a.

General Schow proposes adding the words "usually through the use of agent personnel" to this paragraph. He believes the present definition could cover "all clandestine operations".

I do not believe this addition is necessary. As "clandestine activities", both Comint and Elint are adequately separated from espionage by their coverage in individual NSCIDs of their own. Unless General Schow can come up with a more specific reason for adding the words, I would resist any change in this paragraph.

3. Para. 1.b. -- No comments.

4. Para. 2.a, b, and c. -- No comments

✓ 5. Para. 2.d.

General Schow proposes a change in the fourth line of this paragraph by substituting the word "requested" for "required", on the basis that "Army cover for its own operations" needs to be coordinated only when it affects the "national effort".

I believe the present wording should be retained as "cover" is an integral part of many clandestine efforts and should be no less subject to DCI coordination than any other part. Unless the DCI is knowledgeable of all cover arrangements, he cannot coordinate them and he would not be in a position to determine whether or not any proposed cover arrangement would affect the "national effort".

No Change in Class. ☐

☐ Declassified

Class. Changed to: TS ☒ C

Next Review Date: _____

Date: 9-19-91

By: _____

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General Schow also proposes deleting the last sentence of this paragraph on the basis that it is procedural. This sentence was put in at the request of General Erskine's office and I would suggest that General Schow should make his suggestion to that office for resolution.

✓ 6. Para 3. *Revised*

Both General Schow and General Collins propose deleting the statement that, "CIA is the national clandestine service of the United States", on the basis that it is unnecessary and might affect the military services' budget for clandestine activities.

I strongly recommend that we make no substantial change in this wording other than the revision proposed by the DDI, i.e., "3. In its capacity as the national clandestine service of the United States, the Central Intelligence Agency shall have primary responsibility, etc."

The position of CIA as the national clandestine service is implicit in the wording of the present NSCID #5 and the new wording should be regarded as a substitute for and not a change from the present expression of national policy, i.e. "The DCI shall conduct all organized Federal espionage operations except for certain agreed activities, etc."

As far as their budgetary problems are concerned, the military services are in a far better position under the revised NSCID #5 which states their "rights" in this field in positive terms rather than as an exception to the rule.

In this paragraph we are not concerned with the "primacy of CIA interest", as General Schow puts it, but with the primacy of CIA's overall responsibility in this field. If this paper fails to designate CIA as "the national clandestine service" its remaining provisions could be interpreted to provide for four clandestine services who are co-equal in position with the only major difference between them being that CIA is primarily responsible for "services of common concern" and the others for "departmental services".

7. Para 3.a and b. -- No comment.

✓ 8. Para 3.c.

General Schow proposes adding the following words to the end of this paragraph: "Liaison with a foreign counterpart of a U.S. military Department will be conducted in coordination with the U.S. Military Department concerned." His reason is that "full cognizance of U.S. liaison with a foreign Army is essential to any U.S. Army overseas commander" and therefore CIA should conduct its liaison with foreign army elements in coordination with the "U.S. Army authority".

I agree that senior U. S. military commanders overseas should be adequately informed of CIA liaison relationships with any foreign military establishment but I do not believe that such commander's "need to know" requires the process of "coordination".

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To meet General Schow's concern I would recommend that we revise para. 7 to read:

"7. In foreign areas where major U.S. military commands are stationed, the designated representatives of the Director of Central Intelligence shall keep the senior U.S. military commanders, or their designated representatives, appropriately informed of the espionage and clandestine counterintelligence operations conducted by the Central Intelligence Agency in or from such areas, including any liaison relationships between CIA and foreign military establishments, which significantly affect the missions of such commanders".

Through this process, senior U.S. military commanders can advise the DCI's representative of any specific liaison relationships with foreign military establishments that are of particular concern to them and appropriate local arrangements can be made to provide the degree and type of coordination required to meet the problem.

The DDCI has proposed that language along the following lines might be satisfactory, "Liaison by the CIA on non-clandestine matters with the foreign counterpart of a U.S. military service, a major command of which is in liaison with that counterpart of military matters, shall be coordinated with the command concerned."

I do not believe this language would satisfy General Schow because of its limitation to non-clandestine matters.

✓ 9. Para 3.d.

NO General Collins proposes deletion of this paragraph in line with his idea that counterintelligence matters should be handled in a separate NSCID.

General Schow proposes the addition of the words, "Counter-intelligence information provided to this repository will be disseminated to departments and agencies as appropriate".

General Collins' proposal will be discussed in detail under para. 9. (comments, this memo).

General Schow's proposal should be unnecessary under a provision which establishes this central index "for the benefit of the intelligence community", however, it is a reflection of the Pentagon view that all roads leading to CIA are "one-way streets".

I believe we could live with the following re-wording of the paragraph which would be gilding the lily but might be worth it in the interests of harmony:

"3.d. The maintenance for the benefit of the intelligence community of central indexes and records of foreign counter-intelligence

information. All departments and agencies shall contribute to this index, on a continuing basis, all pertinent material collected by them, and shall have access to such index for material pertinent to their counter-intelligence requirements."

10. Para 4.a. *Revised*

General Collins proposes a change in the first line of 4.a. by substituting the word "supplemental" for the word "additional" on the basis that the word "additional" implies that CIA has a "preclusive operational capability" and that service activities are duplicatory.

I believe we could buy the change without harm. However, I believe we should point out to General Collins that the "service of common concern" performed by CIA in this field is to meet the needs of all departments and agencies concerned and that the requirements placed upon it through the IPC are consolidations of departmental requirements which have been placed in priority order on the basis of priorities established by the IAC.

11. Paras. 4.b. and c. -- No comment.

12. Para 5.

General Schow proposes a change in the second sentence of this paragraph, i.e. substitute "All departments and agencies" for the single word "They", for purposes of clarity and to include mutual assistance from CIA.

As it is not contemplated that CIA as such will be serving requirements on the military services, the Agency should not be covered by this sentence; no change in the text is recommended.

13. Para 6. No comment.

14. Para 7. *Revised*

General Collins proposes a change in the first line to make the word "areas" in the singular to make it consistent with para. 6 and make the provision applicable to all major commands in a single area.

I believe the change would be acceptable to CIA but it should be pointed out that this change was proposed in the Working Group and resisted by Army and Air.

General Collins proposes in the fifth line to insert the words "activities and" before the word "operations" in order to broaden the scope of the information to be given to commanders. He would also delete from the sixth and seventh lines the words "which significantly affect the missions of such commanders" on the basis that this type of qualification should be set out in a DCID.

15. Para 8. *Revised*

Both General Collins and General Schow propose changes in this paragraph which are designed to preserve the intent of para. 10 of the present NSCID #5 by insuring that the entire CIA organization operating in or from a theater would be under the direct command of the theater commander without qualification.

General Collins proposes revising para. 8. to read:

"In active theaters of war where U.S. forces are engaged or when the President so directs, the entire CIA organization shall be under the direct command of the United States theater commander in accordance with agreements separately reached between the Director of Central Intelligence and the Joint Chiefs of Staff. As an exception to the foregoing, CIA operations which, because of delicate political or diplomatic implications, must be conducted independently, but which are within, mounted from or staged through the theater, shall be coordinated with the Joint Chiefs of Staff. The Joint Chiefs of Staff will direct the military support required and will provide the necessary guidance to the theater commander."

General Schow proposes amending para. 8.a. to read:

"The Central Intelligence Agency conducting espionage and clandestine counterintelligence operations in or from the theater shall be under the direct command of the command established by the Joint Chiefs of Staff."

Annex C, "Overseas Organization", to the current CIA Global War Plan states in para. 2.a. that:

"In the event of war all CIA stations, bases, facilities, and personnel within an active theater will be organized into a command under a CIA Commander located in the field. The force assigned to such CIA Commander will function under the U.S. Theater Commander in a manner similar to that of the component military forces. This CIA Force, including indigenous assets controlled by CIA, will conduct military support operations in support of the U. S. Theater Commander, and will conduct exceptional operations and non-theater operations to meet requirements established at the national level."

It appears that the proposals of both General Collins and General Schow are consistent with the concept of overseas organization contained in the CIA Global War Plan.

I suggest that we borrow wording from both proposals and consider revising para. 8.a. to read as follows:

"The CIA organization conducting espionage and clandestine counterintelligence operations in or from the theater shall be under the direct command of the U. S. Theater Commander in accordance with agreements separately reached between the Director of Central Intelligence and the Joint Chiefs of Staff."

I believe we should leave para. 8.b. and 8.c. unchanged.

An alternate proposal is to revise para. 8.a. only to read:

"In the event of war all CIA stations, bases, facilities, and personnel within an active theater will be organized by the Director of Central Intelligence into a command under a CIA Commander who will conduct operations under the direct command of the U. S. Theater Commander in a manner similar to that of the component military forces and in accordance with agreements separately reached between the Director of Central Intelligence and the Joint Chiefs of Staff."

16. Re Para. 9. Revised

General Collins proposes that the subject of non-clandestine counterintelligence be treated in a separate NSCID. General Schow proposes deleting para. 9.b. and merging para. 9 and 9.a. into a single paragraph and apparently believes this would be satisfactory as an "interim proposal".

This paragraph was written to provide for the problem raised by the Secretary of Defense memorandum to the NSC of 25 April 1957 which proposed the establishment of an interdepartmental committee to be responsible for "formulating broad counterintelligence objectives, policies and plans" with particular reference to overseas operations, including counterintelligence relationships with international and foreign national counterintelligence organizations.

On 4 June 1957 you informed the Executive Secretary of the NSC that it was your opinion that the counterintelligence problems raised by the Secretary of Defense could be handled by the existing IAC machinery; the IAC minutes of its 4 June 1957 meeting reflect general agreement with your position on the matter.

The provisions of this paragraph were purposely made very flexible so that the IAC members could tackle the problem in their own way and not have any specific procedures imposed on them.

If more specificity is desired, the following words might be added to para. 9.b.:

", including the formulation of broad counterintelligence objectives, policies and plans to support U. S. counterintelligence activities abroad."

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